

**House Report 109-139 - LEGISLATIVE BRANCH APPROPRIATIONS
BILL, 2006**

ADDITIONAL VIEWS OF HON. DAVID OBEY

The construction of the Capitol Visitors Center (CVC) has been a story of serious mismanagement and colossal government waste. There is a great need for increased oversight of this project. However, during the reorganization of the Appropriations Committee, the Legislative Branch subcommittee, the body with the institutional knowledge and day-to-day responsibility for overseeing the Architect, was eliminated.

The cost of the CVC, first estimated at \$95 million, has ballooned to over \$500 million. I have raised my concerns about this project several times in the past, and I continue to have serious objections to the current plan.

For example, the CVC will provide the House with little, if any, usable new workspace. During the FY 2005 war supplemental conference, Senator Domenici remarked that the room we met in was too crowded with staff. That often occurs at conferences because the Congress simply does not have space in which a conference can convene and conduct its business in a dignified manner. It will not have such a space after completion of the CVC either because Majority Leadership staff have made decisions about the CVC's design without any real recognition of the needs of the Congress and what it would take to make the House space within the CVC functional.

The current design of the CVC House space includes 87,000-square feet of space, of which only 3,200 square feet is for hearing rooms where public business can be conducted, and even this is designed inefficiently. This is because the real work of the Congress was not a primary consideration in its construction. It was constructed in such a way as to make it ready for television. The media room takes up two floors, wasting significant space, with limited room for staff or the public. The chief value of this opulent hearing space, and the accompanying new Radio and Television Gallery, seems to be as a high tech propaganda tool.

In addition, the CVC contains an enormous Congressional auditorium to seat 400 people. I asked the Architect of the Capitol why the theatre hall was needed in addition to the two orientation rooms. First, I was told that it could be used to host large constituent groups. I have never brought a group that large to the Capitol, and I doubt many other Members ever either. Then I was told that the theatre could serve as an alternate chamber for the House if the current chamber was being renovated. However, it is my understanding that the Ways and Means hearing room in the Longworth Building was

originally designed to serve this same purpose. According to CQ Weekly (2/28/2005):

The hearing room is designated as the alternate House chamber in case of an emergency. (The House of Representatives held its sessions in it from 1949 to 1950, when the Capitol was being rebuilt.)

Given the apparent redundancy of an alternative chamber in the CVC, what is the true motivation for the space? It is found on page 25 of the Final Design Report done 10 years ago: 'The Library has long needed facilities that meet the public demand for greater access to its historical and educational programs. The CVC provides a singular opportunity to do this well.' We are building a movie theatre for the Library of Congress, even though the Center already includes two orientation theatres for visitors.

Mr. Moran has also raised a valid point about the capacity of the CVC versus that of the Capitol. The number of people who can safely be in the CVC at one time is twice the number of people who are allowed in the Capitol. So, in reality, half of the people who will be allowed into the CVC will likely never have the chance to visit the Capitol itself.

It is clear from these examples, and many others, that the Majority Leadership has not lived up to its obligation to responsibly manage taxpayer funds. It needed to create workspace. Instead, it has created Taj Mahal show space. This bill includes \$40.3 million for the CVC. I do not support this funding and I will oppose any bill that contains additional funding for this project.

CONTINUITY OF CONGRESS

At the request of the Speaker, the Chairman of the Committee attached to this bill legislation providing for the continuity of Congress in the case of a disaster. I do not think it is right or advisable to add a major authorization to this bill that will change the law with respect to who will succeed members of Congress in case there is a catastrophe and many members are killed. It became clear during our deliberations that the Committee was not at that time in a position to make a fully informed judgment about the bill's content.

While I disagree with the attached legislation itself, I also take issue with the process by which this bill was attached. House rules prohibit the inclusion of 'authorizing language' on appropriations bills. Yet, for the second time this year, significant authorizing language has been included on a spending measure. Earlier this year, the REAL ID bill was attached to the emergency spending bill for the war in Iraq. In both instances, the rationale for breaking the rule was--'This is important and must be done.'

Whatever the reasoning, it could appear that the rules of the House are being selectively applied. For example, authorizing committee chairmen regularly are allowed to strip 'authorizing language' from spending bills because it violates the rule against authorizing on appropriations bills. The continuity legislation added to this spending bill will be protected from such an action. In addition, some members have been blocked from addressing important problems on appropriations bills because, we are told, the solutions would violate this rule. Yet, the rule is being ignored in the case of the continuity language.

Fairness and equal treatment demand that House rules apply to all Members and to both the Majority and the Minority. While expediency is a temptation, selective enforcement of the rules can only create the impression that the Majority Leadership will manipulate the rules when doing so serves their purposes. That is not an impression any House majority should seek to create.

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